

Order

Michigan Supreme Court
Lansing, Michigan

April 29, 2011

Robert P. Young, Jr.,
Chief Justice

142442-3

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 142442-3
COA: 294147; 295111
Wayne CC: 09-012575-FH

MARTEEZ DONOVAN LAIDLER,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the December 28, 2010 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1).

We order the Wayne Circuit Court, in accordance with Administrative Order 2003-03, to appoint attorney Mark Hall, if feasible, to represent the defendant in this Court. See MCR 6.425(G)(1)(d)(iv). The parties shall submit supplemental briefs within 42 days of the date of the order appointing appellate defense counsel. The briefs shall address whether, for purposes of offense variable 3, Dante Holmes was a victim and, even if Holmes was not a victim, whether the defendant could appropriately be scored 100 points for offense variable 3 on the theory that “death result[ed] from the commission of a crime and homicide is not the sentencing offense.” See MCL 777.33(2)(b).



h0426

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 29, 2011

Corbin R. Davis

Clerk